



Attorney Docket No.: ACMI-2.029.US

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

1. My residence, post office address and citizenship are as stated below next to my name.
2. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled: "THERMAL TREATMENT SYSTEMS WITH ENHANCED TISSUE PENETRATION DEPTH USING ADJUSTABLE TREATMENT PRESSURES AND RELATED METHODS", the specification of which:
  - X is attached hereto.
  - X was filed on February 26, 2004, Application Serial No. 10/788,735
3. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.
4. I acknowledge the duty to disclose to the Office all information known to be material to patentability as defined in 37 CFR § 1.56.
5. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

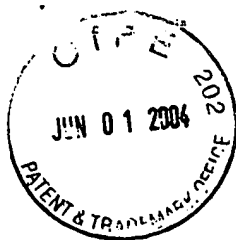
(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed	Yes	No
<u>PCT/US02/28688</u>	<u>PCT</u>	<u>September 9, 2002</u>	<u>X</u>		

6. I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

### Prior Provisional Application(s)

(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed	Yes	No
<u>60/318,556</u>	<u>U.S.</u>	<u>September 10, 2001</u>	<u>X</u>		

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X is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_, Application Serial No. \_\_\_\_\_

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Prior Foreign Application(s)

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			Yes	No
PCT/US02/28688	PCT	September 9, 2002	X	

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Prior Provisional Application(s)

(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed	
			Yes	No
60/318,556	U.S.	September 10, 2001	X	

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7. I hereby claim the benefit under Title 35, United States Code, § 120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims in this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Application

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
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8. I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith:

Practitioners at customer number: **22874**, including:

Bradley M. Ganz, Reg. No. 34,130

James L. Wolfe, Reg. No. 33,623

Paul J. Fordenbacher, Reg. No. 42,546

Peter A. Haas, Reg. No. 52,481

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor:	Inventor's Signature:	Date:
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Residence:	Citizenship:	
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Full Name of Joint Inventor:	Inventor's Signature:	Date:
Richard Barry Klein		
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7. I hereby claim the benefit under Title 35, United States Code, § 120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims in this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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Full Name of Sole or First Inventor:	Inventor's Signature:	Date:
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Full Name of Joint Inventor:	Inventor's Signature:	Date:
Richard Barry Klein	<i>Richard Barry Klein</i>	1 MARCH 2004
Residence: 107 Marseille Place, Cary, NC 27511		Citizenship: US
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